

Leslie,
Plaintiff

Adv. Proc. No. 17-01246-RK

Novinger,
Defendant

CERTIFICATE OF NOTICE

District/off: 0973-2

User: mbakchell
Form ID: pdf031

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 12, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 14, 2017.

pla +Sam S. Leslie, 3435 Wilshire Blvd., Ste. 990, Los Angeles, CA 90010-1998

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

dft C1R DISTRIBUTIONS, LLC, a California limited liability company
dft C1R, INC., a California corporation
intp Courtesy NEF
dft RASCAL VIDEO, LLC, a California limited liability company
dft Robert Novinger

TOTALS: 5, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 14, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 12, 2017 at the address(es) listed below:

Christian T Kim on behalf of Trustee Sam S Leslie (TR) ckim@dumas-law.com,
ckim@ecf.inforuptcy.com
Christian T Kim on behalf of Plaintiff Sam S. Leslie ckim@dumas-law.com,
ckim@ecf.inforuptcy.com
Henry Glowka on behalf of Interested Party Courtesy NEF henry@henryglowka.com,
henry@ecf.inforuptcy.com
S. Christopher Winter on behalf of Defendant C1R DISTRIBUTIONS, LLC, a California limited liability company kw@winterlaw.us
S. Christopher Winter on behalf of Defendant C1R, INC., a California corporation
kw@winterlaw.us
S. Christopher Winter on behalf of Defendant Robert Novinger kw@winterlaw.us
S. Christopher Winter on behalf of Defendant RASCAL VIDEO, LLC, a California limited liability company kw@winterlaw.us
Sam S Leslie (TR) sleslie@trusteeleslie.com,
sleslie@ecf.epiqsystems.com;trustee@trusteeleslie.com
United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov

TOTAL: 9

1 S. Christopher Winter (CSB #190474)
2 kw@winterlaw.us
3 **LAW OFFICE OF S. CHRISTOPHER WINTER**
4 5455 Wilshire Blvd, Suite 1505
5 Los Angeles, California 90036
6 Telephone: (323) 538-0498
7 Facsimile: (310) 388-5803
8
9 Attorneys for Defendants
10 ROBERT NOVINGER, C1R, INC.,
11 C1R DISTRIBUTION, LLC and RASCAL VIDEO, LLC

FILED & ENTERED

JUL 12 2017

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bakchell DEPUTY CLERK

CHANGES MADE BY COURT

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re
12 JEFFERSON HOWARD HITCHCOCK,
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14 Debtor.

15 SAM S. LESLIE, as Chapter 7 Trustee of the
16 Estate of Jefferson Howard Hitchcock,

17 Plaintiff,

18 vs.

19 ROBERT NOVINGER; an individual; C1R
20 DISTRIBUTION, LLC, a California limited
liability company; C1R, Inc., a California
corporation; RASCAL VIDEO, LLC, a
21 California limited liability company,

22 Defendants.

CHAPTER 7

Case No. 2:15-bk-16468-RK

ADV. No. 2:17-ap-01246-RK

ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS COMPLAINT
PURSUANT TO RULE 12(b)(6) OF THE
FEDERAL RULES OF CIVIL
PROCEDURE

Hearing:

Date: July 11, 2017
Time: 3:30 p.m.
Location: 255 East Temple St.
Courtroom 1675
Los Angeles, CA 90012

Judge: Hon. Robert N. Kwan

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1 A hearing was held on July 11, 2017 at 3:30 p.m. on Defendants' Motion to Dismiss
2 Complaint Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure ("Motion").
3 Appearances were noted on the record. Based upon the findings and conclusions made at the
4 hearing and set forth in the court's tentative ruling (see attachment below), IT IS ORDERED that
5 the Motion is granted, and the Complaint is dismissed with leave to amend. Plaintiff shall have
6 sixty (60) days from the date of entry of this order to serve and file an amended Complaint.
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24 Date: July 12, 2017
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Robert Kwan
United States Bankruptcy Judge

1 ATTACHMENT

2 TENTATIVE RULING FOR HEARING ON JULY 11, 2017

3 Grant motion to dismiss for the reasons stated in the moving papers, but either dismiss
4 without prejudice or with leave to amend since this is the first complaint. The reason for
5 dismissal without prejudice is that it appears that plaintiff's statement that he intends to
6 seek leave to add a claim for involuntary dissolution of nondebtor entities under state law
7 is not well-taken because this court lacks jurisdiction over such state law matters. Plaintiff
would have to first obtain dissolution of those nondebtor entities before pressing claims on
behalf of the party entitled to assert claims belonging to those entities. Appearances are
required on 7/11/17.

LAW OFFICE OF S. CHRISTOPHER WINTER
5455 WILSHIRE BLVD., SUITE 1505
LOS ANGELES, CALIFORNIA 90036